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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,018	07/06/2006	Thomas Chmielewski	PHUS040035US2	8969

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P. O. Box 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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SHRIVASTAV, BRIJ B

ART UNIT	PAPER NUMBER
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2831

MAIL DATE	DELIVERY MODE
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08/25/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/597,018	CHMIELEWSKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brij B. Shrivastav	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 11, 12, 14-16, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) 5, 7-10, 13, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/6/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Harrison et al (US 4,682,125).

3. As regards to claim 1, Applicant's attention is directed to figures 6-8 of Harrison et al teaching a method for tuning a radio frequency trap having an inductive element including a dielectric former and a coaxial cable wrapped around a former, including steps for inserting an effective amount of electrically conductive material into the dielectric former, the amount being effective to adjust an inductance of the inductive element to tune the radio frequency value (column 4-5).

4. As regards to claim 11, applicant's attention is directed to figures 6-9 of Harrison et al teaching a radio frequency trap, including dielectric formers with selected amount of electrically conductive material inserted in them, and a cable with an inner conductor (acts as an inductor). and a coaxial outer conductor, are connected to a capacitor, and being wrap around the dielectric former(s); the dielectric formers with electrically conductive material in them, together with the aforementioned inductive cable and the connected capacitance act as a resonance circuit with selected resonance frequency (column 1, 4-6).

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5. As regards to claims 2-4, 6 and 12, Harrison et al further teach cylindrical dielectric formers with electrically conductive non-ferromagnetic rods inserted in them, and with slots on the surface for cable being wrapped and having a tunable capacitance to create resonance circuit(s) (column 1, 4-5)

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 14-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison et al (US 4,682,125), and further in view of Duerr et al (US 5,294,886).

8. As regards to claim 14 and 16 Applicant's attention is directed to figures 6-9 of Harrison et al reaching a radio frequency trap, including a coaxial cable wrapped around dielectric formers, and a plurality of tuning elements inserted into the dielectric formers to tune the trap to a selected resonance frequency (column 4-6). Harrison et al do not teach an even number of dielectric formers. Duerr et al teach even number (two) of dielectric formers (column 3-4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt teaching of Duerr et al with the teaching of Harrisom et al to inductively decouple and improving S/N ratio.

9. As regards to claims 15, 19 and 20, Harrison et al teach MRI apparatus having main magnetic field, gradient coils and radio frequency coils for magnetic resonance

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imaging of an object, the dielectric formers with cylindrical surface to wrap around coaxial cables are to provide high impedance for radio frequency current flow through them.

10. Claims 21-22 are allowed, as the prior art of record does not teach a radio a frequency trap, including electrically conductive fasteners securing dielectric formers, in combination with the remaining limitations of the claims.

11. Claims 5, 7-10, 13, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brij B. Shrivastav whose telephone number is 571-272-2250. The examiner can normally be reached on 7 AM to 4 PM.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 23, 2009

/Brij B Shrivastav/  
Primary Examiner, Art Unit 2831